

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

EDDY A. FELIZ,

Plaintiff,

v.

THE KINTOCK GROUP, et al.,

Defendants.

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CIVIL ACTION

NO. 02-3541

ORDER

AND NOW, on this 13th day of January, 2005, upon consideration of Plaintiff's Motion for Preliminary Injunction and Motion for Temporary Restraining Order (Doc. 24), it is hereby ordered that Plaintiff's motions are **DENIED**¹.

BY THE COURT:

/S/ Petrese B. Tucker

Hon. Petrese B. Tucker, U.S.D.J.

¹ In order to prevail on a motion for Temporary Restraining Order or a motion for a Preliminary Injunction, the moving party must establish, *inter alia*, the likelihood of success on the merits of the case. *Novartis Consumer Health, Inc. v. Johnson & Johnson-Merck Consumer Pharms. Co.*, 290 F.3d 578, 586 (3d Cir., 2002) (citation omitted). Plaintiff fails to meet this element and consequently his motions are denied.